



UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB02-742-N (400/141))

IN THE APPLICATION OF:

McSwiggen et al.

Serial No. 10/758,155

Filed: January 12, 2004

Title RNA Interference Mediated Inhibition of
Vascular Endothelial Growth Factor and
Vascular Endothelial Growth Factor
Receptor Gene Expression using Short
Interfering Nucleic Acid (siNA)

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) Examiner: Bowman, Amy H.
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) Group Art Unit: 1635
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) Confirmation No.: 5758
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

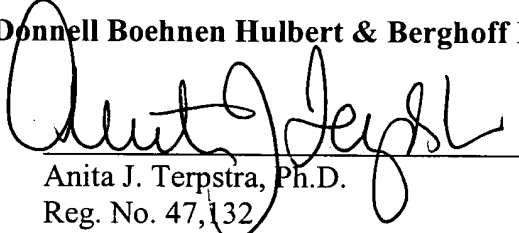
The undersigned declares that the content of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2) in lieu of the paper copy under 37 C.F.R. § 1.821(c) and the computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. 1.821(e), are identical in content. The sequence listing, submitted herewith, does not extend beyond the scope of the specification, and thus, does not contain new matter.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: June 22, 2006

By:


Anita J. Terpstra, Ph.D.
Reg. No. 47,132



PATENT

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TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("060622_1717") submitted under 37 C.F.R. § 1.52(e):

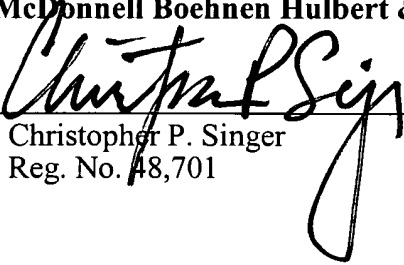
- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "02-742-N 400.141 SeqList.txt" which is 872,448 bytes in size and created on 06/22/2006.

2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the CD-R submitted herein, titled "060622_1717" (COPY 2) and the original CD-R entitled "060622_1717" (COPY 1) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Dated: June 22, 2006

By:


Christopher P. Singer
Reg. No. 48,701

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
32nd Floor
Chicago, Illinois 60606
Phone: 312-913-0001
Fax: 312-913-0002